

Message Text

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ACTION NEA-12

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P R 0900Z SEP 73 ZFF-6

FM USINT BAGHDAD

TO SECSTATE WASHDC PRIORITY 0515

INFO AMEMBASSY BEIRUT

AMEMBASSY BRUSSELS

C O N F I D E N T I A L BAGHDAD 0470

BEIRUT FOR RSO

E.O. 11652: GDS

TAGS: ASEC IZ

SUBJ: ARREST OF USINT EMPLOYEE

REF: BAGHDAD OM OF AUG 25, 1973

1. REF OM DESCRIBED IRAQI SECURITY APPROACH TO FSL-5 ABBAS SOUSA (PRINCIPAL OFFICER'S DRIVER) ON AUG 23 ASKING HIM TO INFORM ON USINT ACTIVITIES. ABBAS REFUSED, AS HE SAID HE HAD MANY TIMES DURING 15 YEARS WITH USG, EVEN THOUGH THREATENED WITH REPRISALS. I TOLD ABBAS AT THAT TIME WE WOULD PREFER HE GIVE INFO REQUESTED RATHER THAN HAVE HARM COME TO HIM OR HIS FAMILY. I STRESSED INEFFECTIVENESS OF DIPLOMATIC PROTECTION IN IRAQ, BUT SAID CHOICE WAS HIS. HE INSISTED ON NON-COOPERATION WITH SECURITY. ON SEPT 8 ABBAS WAS ARRESTED AFTER MINOR ACCIDENT WHICH OBVIOUSLY STAGED. FOLLOWING IS ACCOUNT OF OUR ACTIONS UP TO 0800 SEPT 10:

2. AT 1400 SEPT 8 ABBAS WHILE DRIVING USINT CAR (BELGIAN EMBASSY DIPLOMATIC PLATES) ON OFFICIAL BUSINESS WAS SCRAPED BY BUMPER OF LANDROVER (BAGHDAD PLATE 30203) DRIVEN BY TWO MEN WHO CLAIMED TO BE BUSINESSMEN. THEY ROUGHED UP ABBAS AND THEN POLICE TOOK ALL THREE TO NEAREST STATION WHERE CHARGES LEVIED AGAINST ABBAS. AT 1700 ABBAS, IN CUSTODY OF POLICEMAN, WAS ABLE TO STOP IN FRONT OF USINT FOR FEW MINUTES WHILE RETURNING TO POLICE STATION FROM CONFIDENTIAL

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AUTO INSPECTION CENTER. HE TOLD ME IN EMOTIONAL WAY OF ACCIDENT, BEATING, AND THAT HE BEING HELD AT MASBAH STATION.

3. AT 1750 ADMIN OFF MAIN AND I WENT TO STATION AND QUERIED POLICE

ABOUT ACCIDENT. IT WAS IMMEDIATELY APPARENT THAT THE TWO "BUSINESSMEN", WHO SOON DISAPPEARED, WERE SECRET POLICE AND THAT "ACCIDENT" SET UP TO GET ABBAS INTO CUSTODY ON LEGAL PRETEXT. AT 1800 I RETURNED TO OFFICE, LEAVING MAIN WITH ABBAS, AND PHONED FORMIN DUTY OFFICER. I STRESSED FACT THAT ABBAS DRIVING DIPLOMATIC CAR ON OFFICIAL BUSINESS. HE CALLED BACK TO SAY INFO PASSED TO PROTOCOL FOR ACTION. I RETURNED TO MASBAH STATION WHERE MAIN AND I WAITED WITH ABBAS FOR "RULING" FROM TRAFFIC COURT JUDGE AS TO WHETHER ABBAS WOULD BE HELD OVERNIGHT. AT 1922 HOURS POLICE OFFICER SAID JUDGE CALLED OUT ON IMPORTANT CASE AND WOULD NOT RETURN UNTIL 0200. WE SAID WE WOULD WAIT WITH ABBAS AND OFFICER RAISED NO OBJECTION.

4. AT 2230 I RETURNED TO USINT TO TELEPHONE FORMIN AGAIN. I FOUND MISS BAKR OF PROTOCOL AT HOME AND RELATED STORY, EMPHASIZING ABBAS DRIVING DIPLOMATIC CAR ON OFFICIAL BUSINESS AND VERY MINOR NATURE OF ACCIDENT (WE ESTIMATE TOTAL DAMAGE TO BOTH CARS AT ABOUT 20 DOLLARS.) SHE SAID AS AN IRAQI ABBAS CAME UNDER IRAQI JURISDICTION AND THAT, IN ANY CASE, NOTHING COULD BE DONE AT NIGHT. SHE ASSURED ME THAT NOTHING WOULD HAPPEN TO HIM IF HE HAD TO SPEND NIGHT AT POLICE STATION. SHE PROMISED TO LOOK INTO CASE FIRST THING IN MORNING. AT 2330 I RETURNED TO POLICE STATION AND INSTRUCTED MAIN TO STAY WITH ABBAS UNTIL DECISION OF JUDGE CAME.

5. AT 0015 MAIN CALLED ME BACK TO STATION AND WE WERE INFORMED BY OFFICER IN CHARGE THAT UNLESS JUDGE RULED OTHERWISE ABBAS WOULD STAY IN CUSTODY OVERNIGHT AND WE WOULD HAVE TO LEAVE. UNOFFICIALLY HE TOLD US ORDER HAD COME FROM HIGH SECURITY OFFICIALS. AT 0100 SIGNED ORDER FROM JUDGE OF TRAFFIC COURT ARRIVED PUTTING ABBAS IN JAIL FOR NIGHT. MAIN AND I AGAIN TOLD WE HAD TO LEAVE. IN DEPARTING I STRESSED TO ABBAS THAT HE SHOULD ANSWER ANY QUESTIONS AND THAT WE HAD NOTHING TO HIDE. MAIN AND I DEPARTED MOST RELUCTANTLY AT 0115 BUT IT CLEAR THAT PATIENCE OF SECURITY GROWING THIN. WE LEFT CAR IN ABBAS' CUSTODY BOTH TO EMPHASIZE HIS OFFICIAL CAPACITY AND PERHAPS HELP LOCATE HIM LATER.

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6. AFTER DROPPING MAIN AT HOME I NOTICED CAR GONE AND STOPPED AT MASBAH STATION TO CHECK. OFFICER SAID ABBAS HAD BEEN TRANSFERRED TO KARRADA STATION BECAUSE NO CELLS AT MASBAH. I WENT TO KARRADA STATION AND FOUND OFFICIAL CAR PARKED IN FRONT. I ASKED TO SPEAK TO ABBAS BUT WAS TOLD HE WAS NOT THERE AND QUERIES SHOULD BE DIRECTED TO DIRECTOR GENERAL OF SECURITY. AT 0200 I TELEPHONED FORMIN DUTY OFFICER, AND RELATED WHAT HAD HAPPENED. HE SAID NOTHING COULD BE DONE UNTIL MORNING AND EITHER HUNG UP OR WE WERE CUT OFF.

7. AT 0745 SEPT 9 MAIN WENT TO KARADA STATION AND MASBAH STATION BUT WAS TOLD ABBAS NOT THERE. AT 0830 I CALLED FORMIN AND WAS TOLD MISS BAKR NOT IN (NOR WAS SHE OR OTHER PROTOCOL OFFICIALS IN FOR US

THE REST OF THE DAY). HOPE FOR AN EARLY RELEASE NOW REMOTE AND WE FULLY BRIEFED BELGIAN CHARGE D'AFFAIRES DE BORCHGRAVE AND SUGGESTED HE INTERVENE WITH FORMIN. I WAS TIED UP REMAINDER OF MORNING AT AIRPORT WITH DEPARTURE MY FAMILY.

8. BORCHGRAVE AND MAIN ARRIVED AT FORMIN 1030 WITHOUT APPOINTMENT. AFTER 30 MINUTE WAIT, THEY SAW LEGAL SECTION OFFICER GANTOUR WHO SAID MATTER APPEARED SIMPLE AND HE WOULD CALL KARRADA STATION.

9. BORCHGRAVE AND MAIN VISITED KARRADA STATION AT 1300 AND WERE TOLD ABBAS NOT PRESENT BUT BEING HELD AT 7TH SECURITY SECTION HEADQUARTERS IN SAADOUN PARK. THEY DROVE TO SECURITY HEADQUARTERS, BUT WERE REFUSED ENTRY BECAUSE "FORMIN HAD NOT REQUESTED SUCH ACTION." AT 1500, NEWS RECEIVED THAT ABBAS NOW HELD AT KARRADA. BROCHGRAVE AND MAIN WENT THERE AND INADVERTENTLY ABBAS WAS BROUGHT INTO SAME ROOM, BUT HE WAS QUICKLY WHISKED AWAY. HE APPEARED UNMARKED, BUT VERY FATIGUED. THERE WAS NO OPPORTUNITY TO TALK WITH HIM. OFFICER AT KARRADA LET SLIP THAT ABBAS NOW BEING HELD ON SECURITY CHARGES UNRELATED TO "ACCIDENT" BUT NO OFFICIAL CONFIRMATION OF THIS. BROCHGRAVE REGISTERED COMPLAINT THAT ACTION BROUGHT AGAINST ABBAS NOT APPROPRIATELY DONE. PERMISSION GIVEN FOR ABBAS' FAMILY TO BRING FOOD TO HIM. MAIN AND ABBAS' SON RETURNED SHORTLY THEREAFTER WITH FOOD BUT NOT PERMITTED TO DELIVER IT PERSONALLY.

10. AT 2200 ABBAS' SON AND I DELIVERED MORE FOOD, BUT WERE NOT PERMITTED TO DO SO PERSONALLY. AT 0800 10 SEP MAIN WENT TO KARRADA STATION WITH SON BUT THEY WERE NOT PERMITTED TO SEE ABBAS. CONFIDENTIAL

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11. COMMENT: WE HAVE, WITH VERY ABLE SUPPORT OF DE BORCHGRAVE, GONE ABOUT AS FAR AS WE CAN TO REGISTER OUR CONCERN FOR ABBAS' WELFARE AND MANNER OF HIS ARREST. I HAVE PREVIOUSLY ARRANGED APPOINTMENT WITH MISS BAKR AT 1000 SEPT 10 TO CONVEY DEPT ASSURANCE ON PROTECTION IRAQ DIPLOMATS (STATE 175219). IT WILL BE GOOD OPPORTUNITY TO REITERATE OUR CONCERN. DE BORCHGRAVE WILL ACCOMPANY ME. I RECOMMEND DEPARTMENT CONSIDER FORMAL PROTEST BASED ON EXTENT TO WHICH GOI HAS VIOLATED DIPLOMATIC PRACTICE. WHILE STRONG PROTEST CONTAINS RISK OF BACKLASH, I BELIEVE IT WOULD BE WELCOMED BY THOSE IN FORMIN WHO DEPLORE SUCH PRACTICES BUT ARE POWERLESS TO PREVENT THEM. THEY MAY EVEN BE ABLE TO USE SUCH PROTESTS AGAINST OVERZEALOUS SECURITY PRACTITIONERS IF IN FACT THERE IS DESIRE FOR EXPANDED ECONOMIC RELATIONS WITH U.S. IN ANY CASE, PROTEST WOULD SERVE TO BEGIN BUILDING RECORD SHOULD SUCH ABUSES OCCUR IN FUTURE.
LOWRIE

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